

Bob Blakemore

From: Julie Zielinski [jzielinski@riggsabney.com] **Sent:** Mon 7/6/2009 2:57 PM
To: Bob Blakemore; Bob Nance
Cc:
Subject: FW: Re 30b 6 deposition
Attachments:

From: "John Tucker" <jhtucker@rhodesokla.com>
To: <Trevor.Hammons@oag.ok.gov>, <rnance@riggsabney.com>
Date: 04/23/2009 04:03 PM
Subject: Re 30b 6 deposition

Bob and Trevor, during our telephone conversation on the morning of Monday, April 20, John Tucker and I expressed our concern that the State's designation of Bert Fisher as designee on all topics in Cargill's Rule 30 (b)(6) notice of the State was inappropriate. You also refused to accommodate our scheduling issues on April 28 and April 30. We continue to believe your interpretation of a responsive witness to our notice is inappropriate but we respect that you believe it is sufficient.

We have reviewed the state's assertions in connection with its protective order motion and Cargill's motion to compel supplementation that the State has provided all information responsive to the written discovery at issue and to Cargill's deposition topics. Cargill has concluded that it will rely on these assertions of completeness rather than taking up the Court's time to resolve the state's improper designation of Dr. Fisher and refusal to accommodate our schedules

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RhodesHieronymus

O K L A H O M A

Exhibit D